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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/614,606

07/07/2003

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P2415

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04/06/2007

EXAMINER

PITARO, RYAN F

ART UNIT

PAPER NUMBER

2174

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

04/06/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/614,606

Applicant(s)

FABRICK, RICHARD W.

Examiner

Ryan F. Pitaro

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2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-45 have been examined.

#### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 16-37,42-45 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims cannot include transmitting the code on a network for remote execution (carrier wave or signal per se). This is a form of energy and does not appear to claim a physical article or object. Appropriate correction is required, and claim language with a limitation of machine readable storage medium as defined by the specification would overcome the rejection.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1,2,4,5,8-11,14,15,16,17,19,20,23-26,31-32,37-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Haken ("Haken" US 7,124,374).

As per claim 1, Haken teaches a pointing device control method for mapping a pointing device to a plurality of displays (Figure1), comprising: mapping the pointing device to a first one of the displays (Column 3 lines 16-19); detecting a position indicated by the pointing device (Column 3 lines 16-19); determining if the position indicated by the pointing device is a position that corresponds to another one of the displays (Column 3 lines 16-19); and remapping the pointing device to the other one of the displays (Column 3 lines 21-30).

As per claim 2, Haken teaches the pointing device control method of claim 1, wherein the position corresponding to the other display is near an edge ((Column 3 lines 16-19, Column 3 lines 36-39).

As per claim 4, Haken teaches the pointing device control method of claim 2 wherein the edge is an edge of an active display (Column 3 lines 1-15).

As per claim 5, Haken teaches the pointing device control method of claim 1, wherein the pointing device is an absolute pointing device (Column 3 lines 16-19).

As per claim 8, Haken teaches the pointing device control method of claim 1 wherein remapping the pointing device includes changing which of the plurality of displays is controlled by the pointing device (Column 3 lines 16-20).

As per claim 9, Haken teaches the pointing device control method of claim 1, and further including a preliminary step of defining the width of a proximity zone near an edge to establish the position corresponding to the other monitor (Column 3 lines 16-20).

As per claim 10, Haken teaches the pointing device control method of claim 1, and further including a preliminary step of identifying and storing the relative positions each of the plurality of displays (Column 3 lines 35-37).

As per claim 11, Haken teaches the pointing device control method of claim 1, and further including: a preliminary step of recording the existence or nonexistence of a display on the left of each of the plurality of displays; and a preliminary step of recording the existence or nonexistence of a display on the right of each of the plurality of displays (Column 2 lines 62-Column 3 lines 15, Figure 1).

As per claim 14, Haken teaches the pointing device control method of claim 1, wherein the step of determining if the position indicated by the pointing device is a position that corresponds to another one of the displays includes: determining which of the plurality of displays is an active display (Column 2 lines 62-Column 3 lines 15); determining whether the pointing device is indicating a position near a specific edge (Column 3 lines 39-68); and determining if there is a display in a direction indicated by the specific edge (Column 3 lines 39-68).

As per claim 15, Haken teaches the pointing device control method of claim 1, wherein: the position indicated by the pointing device is a left edge (Figure 1).

Claim 16 is similar in scope to that of claim 1, and is therefore rejected under similar rationale.

Claim 17 is similar in scope to that of claim 2, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to that of claim 4, and is therefore rejected under similar rationale.

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Claim 20 is similar in scope to that of claim 5, and is therefore rejected under similar rationale.

Claim 23 is similar in scope to that of claim 8, and is therefore rejected under similar rationale.

Claim 24 is similar in scope to that of claim 9, and is therefore rejected under similar rationale.

Claim 25 is similar in scope to that of claim 10, and is therefore rejected under similar rationale.

Claim 26 is similar in scope to that of claim 11, and is therefore rejected under similar rationale.

Claim 29 is similar in scope to that of claim 14, and is therefore rejected under similar rationale.

Claim 30 is similar in scope to that of claim 15, and is therefore rejected under similar rationale.

As per claim 31, Haken teaches a computer-readable medium having stored thereon a data structure comprising: a position field containing data representing a position for triggering a process for remapping a pointing device to another display (Column 3 lines 35-38); and a position field containing data representing the position of the pointing device (Column 4 lines 3-19).

As per claim 32, Haken teaches the computer-readable medium of claim 31, wherein the position field contains data representing the width of an area near an edge (Column 4 lines 3-19, Figure 2).

As per claim 37, Haken teaches the computer-readable medium of claim 31, and further including an adjacent monitor field containing data representing the presence of a display adjacent an active monitor (Column 3 lines 35-39).

As per claim 38, Haken teaches a graphics display system comprising: a plurality of displays (Figure 1); a pointing device (Figure 1); a position monitor (Column 3 lines 16-39); and a remapper responsive to output from said position monitor, and operative to automatically remap the pointing device from one of the displays to another one of the displays (Column 3 lines 16-39).

As per claim 39, Haken teaches a graphics display system comprising: a plurality of displays (Figure 1); a pointing device (Figure 1); and means for



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automatically remapping the pointing device from one of the displays to another one of the displays (Column 3 lines 16-39).

As per claim 40, Haken teaches a method for mapping a pointing device to multiple displays, said method comprising: mapping the pointing device to a first display; and automatically remapping the pointing device to a second display (Column 3 lines 16-39).

As per claim 41, Haken teaches the method of claim 40, wherein the step of automatically remapping the pointing device to the second display includes: receiving a predefined input via the pointing device indicative of a user's desire to use the second display (Column 3 lines 35-39); and remapping the pointing device to the second display responsive to receipt of the predefined input (Column 3 lines 16-39).

As per claim 42, Haken teaches a computer-readable medium having stored thereon a data structure comprising: a first field containing data indicative of a particular display; and a second field containing data indicative of said particular display's position relative to a second display (Column 4 lines 3-19).

As per claim 43, Haken teaches a computer-readable medium according to Claim 42, wherein: said second field contains perimeter coordinates associated with a display area of said particular display (Column 3 lines 35-39).

As per claim 44, Haken teaches a computer-readable medium according to Claim 42, wherein said second field contains data indicative of the position of a boundary between said particular display and said second display (Column 3 lines 35-39).

As per claim 45, Haken teaches a computer-readable medium according to Claim 44, wherein said data structure further comprises a third field containing data indicative of said second display (Column 2 lines 63-67).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3,6,7,18,21,22, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haken ("Haken", US 7,124,374).

As per claim 3, Haken fails to expressly teach the pointing device control method of claim 2, wherein the edge is an edge of a graphics tablet. However, Keller teaches the edge being an edge of a graphics tablet (Column 4 lines 9-20). Therefore it would

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have been obvious to an artisan at the time of the invention to combine the teaching of Keller with the method of Haken. Motivation to do so would have been to provide control of multiple portable devices.

As per claim 6, Haken-Keller teaches the pointing device control method of claim 1 wherein the pointing device includes a graphics tablet (Keller, Column 4 lines 9-20).

As per claim 7, Haken-Keller teaches the pointing device control method of claim 1, wherein the pointing device includes a stylus (Keller, Column 4 lines 21-30).

Claim 18 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

Claim 21 is similar in scope to that of claim 6, and is therefore rejected under similar rationale.

Claim 22 is similar in scope to that of claim 7, and is therefore rejected under similar rationale.

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As per claim 33, Haken-Keller teaches the computer-readable medium of claim 32, wherein: the pointing device includes a graphics tablet and a stylus; and the edge is an edge of the graphics tablet (Keller, Column 4 lines 21-30).

8. Claims 12,13,27,28,34,35,36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haken ("Haken" US 7,124,374) in view of Numazaki ("Numazaki", US 5,990,893).

As per claim 12, Haken fails to distinctly point out timing the pointing device. However, Numazaki teaches the pointing device control method of claim 1, and further including determining how long the pointing device has indicated the position corresponding to the other one of the displays (Column 7 lines 35-63). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Numazaki with the method of Haken. Motivation to do so would have been so that command would not accidentally be assigned to a different device.

As per claim 13, Haken-Numazaki teaches the pointing device control method of claim 1, and further including: a preliminary step of setting an elapsed time which the pointing device must remain indicating a position near an edge before the pointing device is remapped (Numazaki, Column 7 lines 35-63).

Claim 27 is similar in scope to that of claim 12, and is therefore rejected under similar rationale.

Claim 28 is similar in scope to that of claim 13, and is therefore rejected under similar rationale.

As per claim 34, Haken-Numazaki teaches the computer-readable medium of claim 31, and further including a preset time field containing data representing an activation time period (Numazaki, Column 7 lines 35-63).

As per claim 35, Haken-Numazaki teaches the computer-readable medium of claim 31, and further including an elapsed time field containing data representing an elapsed time (Numazaki, Column 7 lines 35-63).

As per claim 36, Haken-Numazaki the computer-readable medium of claim 35, wherein the elapsed time is a time, which a pointing device has remained in a designated zone (Numazaki, Column 7 lines 35-63).

### ***Conclusion***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F. Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Mondays through Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit 2174  
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RFP

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